

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Andrew VAILLANT et al.
Serial Number: 10/661,097
Filing Date: September 12, 2003
For: ANTIVIRAL OLIGONUCLEOTIDES TARGETING HSV AND CMV
Art Unit: 1635
Examiner: ZARA, Jane J.
Agent: Christian Cawthorn Direct Line: (514) 847-4256

RESPONSE/STATEMENT FOLLOWING INTERVIEW

Director of the USPTO/Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450
U. S. A.

Sir:

In response to the Notice dated October 20, 2008, and to the Interview Summary issued January 27, 2009, in connection with the above-identified patent application, please consider the following remarks.

REMARKS

Remarks begin on page 2 of this paper.

Commissioner of Patents
USSN 10/661,097

REMARKS

A sequence compliance notice was issued on October 20, 2008. The Examiner requested providing accompanying SEQ ID NOs. for the nucleic acid sequences disclosed in claim 40, and in the description of the figures (figs. 1, 3, 5, 8, 11, 12, 14, 16, 17, 19, 21-25, 27, 28, 30, 33-35), as recited in the Notice to Comply.

In a telephonic conversation conducted on January 21, 2009, it was reminded to the Examiner that she already issued a similar rejection in an Office Action dated December 19, 2006. A response providing amendments to the claims, figures and the description in order to comply with such requirement was filed August 14, 2007. The Examiner acknowledged that the sequence compliance requirements mailed October 20, 2008, have been met previously by the amendment filed August 14, 2007, as evidence in an Interview Summary issued January 27, 2009.

Still, eventough the Examiner acknowledged that the sequence compliance requirements have been met, no indication was made by the Patent Office or the Examiner that the sequence compliance notice issued on October 20, 2008 has been withdrawn and that the deadline to respond to the notice is no longer applicable. Confirmation of the withdrawal of the sequence compliance notice issued on October 20, 2008 is requested.

In the event that there are any questions concerning this response or the application in general, the Examiner is respectfully urged to telephone the undersigned so that prosecution of this application may be expedited.

Respectfully,

Date: February 17, 2009

By: /Christian CAWTHORN/
Christian Cawthorn, Reg. No. 47,352
Agent for Applicants

OGILVY RENAULT
1981 McGill College, Suite 1600
Montreal, Quebec H3A 2Y3
CANADA (514) 847-4928